

REMARKS/ARGUMENTS

Claims 1-20 are pending in the application.

Claims 1-7 and 18-19 are hereby canceled.

Claims 8, 10, 12-17 and 20 are hereby amended.

Claims 8-11, 15 and 17 are amended to incorporate all of the limitations of the respective base claims; the examiner stated that these claims would be allowable if so rewritten.

1. Claims 4 and 12 were rejected under 35 USC 112, second paragraph. Claim 4 is canceled. Claim 12 is amended to clarify and correct to recite a “plurality of data packets” comprising the payload.

2. Claims 1-7, 13-14, 16 and 18-20 were rejected under 35 USC 102(e) as anticipated by Abrol. Claim 1-7 and 18-19 are canceled.

Claim 13 is amended to depend from claim 12 (as amended to overcome the rejection under 35 USC 112, second paragraph).

Claim 16 is amended to state that the unique global sequence number corresponds “to the distinct data type element” of the data payload. Abrol does not disclose any distinction among particular types of data by virtue of any global sequence number.

Claim 20 is amended to state that the step of determining regards the number of bytes outstanding not yet received for the “data packet”. The reference to data packet distinguishes from the “frame” of Abrol.

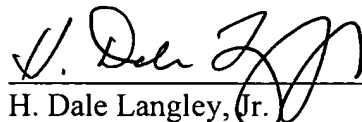
Applicant thanks the examiner for stating that claims 8-11, 15 and 17 are allowable as here rewritten in independent form (or, as applicable, as depending from so rewritten claims).

Applicant respectfully requests withdrawal of the rejection and allowance of all pending claims.

If the Examiner has any questions or comments, the undersigned attorney for Applicant respectfully requests a call to discuss any issues. The Office is authorized to charge any excess fees or to credit any overage to the undersigned's Deposit Account No. 50-1350.

Respectfully submitted,

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H. Dale Langley, Jr.
Reg. No. 35,927

The Law Firm of H. Dale Langley, Jr.
610 West Lynn
Austin, Texas 78703
Telephone: (512) 477-3830
Facsimile: (512) 477-4080
E-Mail: dlangley@iptechlaw.com